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August 21, 2007

**VIA ECF FILING**

Honorable Brian M. Cogan  
United States District Court  
Eastern District of New York  
225 Cadman Plaza  
Brooklyn, New York 11201

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**Re:** Trustees of the Local 531 Sick and Welfare Fund v.  
Madison York Assisted Living Program  
USDC Case No.: 07-CV-02675 (BMC) (JO)

Dear Judge Cogan:

We have just been engaged to represent the defendant, Madison York Assisted Living Program, in the above-reference matter. We are filing our Notice of Appearance under separate cover.

We write, upon consent of counsel for Plaintiff, the Trustees of the Local 531 Sick and Welfare Fund, to request that the Court grant a 60-day stay of proceedings in this case in order to allow the parties to resolve this matter without further Court intervention. In this regard, the parties have agreed to the following:

1. The Plaintiff's accountant shall commence an audit of Defendant's books and records on August 28, 2007.
2. The parties anticipate that the audit will take one to two days, and that a report will issue in or about mid September 2007.
3. The parties shall promptly meet and confer regarding the audit results.
4. If the parties do not agree on the audit results or reach a suitable compromise thereon resulting in a dismissal of this action, Defendant shall file an answer on or before October 15, 2007.

Honorable Brian M. Cogan  
August 21, 2007  
Page 2

Please advise the parties if the proposed plan is acceptable to the Court.

Respectfully submitted,

s/ Eve I. Klein  
Eve I. Klein

EIK/jb

cc: Rachel S. Paster, Esq.

This Court does not ordinarily stay proceedings pending settlement negotiations. However, since it appears that the parties have agreed on a procedure to discuss resolution, a short stay will be issued. The initial status conference and defendant's time to answer are adjourned to 10/5/07 at 11:00 a.m. No further extensions will be granted and the case will be placed on an expedited discovery and trial track if it is not resolved by 10/5/07.

SO ORDERED: 8/22/07

s/Brian M. Cogan  
U.S.D.J.